Mr. Dave Overton, News Director
KXAS-TV
3900 Barnett St.,
Fort Worth, TX 76101-1780

4/1/92

Dear Mr. Overton,

A letter from a Dallas friend, enclosing a copy of Ed Bark's 3/28/92 column is my first knowledge of controversy over the series of JFK assassination shows you aired and of allegations of unfairness in them. I write to make an accurate record, if not to correct it.

I'm sorry that Mike Snyder did not send me a cassette of his interview (~~that~~ it was about 3 a.m. when it began!) as I'd asked and he promised. I asked this because I believed at the time that he questioned me as others had not and I wanted the cassette for the historical record, as a substitute for an oral history on those areas of fact and evidence. Now it would enable me to determine whether I in any way misled or misrepresented to Mike. I did not intend to and believe I did not. I did not represent either of the documents in Bark's story was unpublished. Perhaps the history of their use can help clarify the situation.

I obtained the Katzenbach memo to Bill Moyers via C.A. 77-2155 in federal district court in Washington. It was part of what the FBI referred to as its general releases. That was the FBI's file copy of it. Earlier I'd gotten the Department of Justice file copy and Katzenbach's handwritten draft under FOIA from the Department. For your information, the Department's file copy was from the file of Howard P. Willens, a Department lawyer loaned to the Warren Commission where he was also its liaison with the Department. He is one of the former assistant counsels who only recently proclaimed their purity of spirit and intent, the accuracy and fairness of their work and that they had hidden nothing. As the document itself reflects he held it for some time before filing it. If there is anyone deserving condemnation it is Willens in particular, I believe.

As I am sure I told Mike, Moyers was Katzenbach's channel to LBJ. I think I explained that different officials had different White House channels. Among the FBI's were Mildred Steagall and Walter Jenkins, as I'm confident the LBJ Library will confirm. My knowledge of this comes from FBI, not White House files. This means no more than that Moyers was aware of the content before giving that memo to LBJ. Moyers was not a decision-maker, LBJ was. That memo, by the way, is the beginning of what became within a few days the Warren Commission. Katzenbach did recommend such a commission, the FBI opposed it, LBJ lied to Hoover about it while proceeding with the idea.

I am certain that George Lardner of the Washington Post wrote a story about that memo in late 1977 or January 1978. Aside from Lardner, Mike is the first one I remember to use the memo itself and your station, if it showed the memo to its audience, is, to the best of my knowledge, the first of any element of the media to show the memo itself. I think this is what I told Mike when I gave him a copy of that and other records he wanted.

What Bark refers to as a "transcript from a Warren Commission meeting" is in fact a transcript of an executive session. I obtained it by a separate FOIA action. The Commission decided, on Dulles' motion, not to preserve any record of that rather hairy and emotional session. It overlooked the stenotypist's tape and I was able to compel its transcription for me. The Archives did not use the court-reporting firm. Because of the Top Secret classification it asked the Pentagon to do the transcribing.

As I now recall I got it in early 1975 when I was in New York City to address a gathering at the NYU lawschool. I was taken ill, with pneumonia. The doctor permitted me to proceed with a scheduled news conference but I had to get a friend to read my speech for me. At that news conferences I gave copies of that transcript away. The Washington Post reporter at the press conference was Bill Claiborne and he did write a story on it at that time.

Later that year I published it in facsimile in my Post Mortem. To the best of my knowledge that is the only facsimile reproduction of it. If you showed the actual text to your addience again I believe that you alone of all the media did that.

As Bark was not aware it is commonplace for commercializers and exploiters to present the work of others as their own derring-do. He refers to Mark North and his 1991 stinker of a book as bringing it to light. He could have said the same of an ever worse book, Mark Lane's Plausible Denial. Unredited secondary uses often lead to confusion and misrepresentation.

Without knowing what you aired I have no way of knowing whether it was unfair to Moyers. He was far from alone with knowledge in the White House and many others also had copies and knowledge, especially all the top FBI brass and all have been silent about this memo. Not the least Katzenbach. This gets to how government's work. There is simply an enormous amount of paper that the presidents want kept secret and those under them are expected to preserve secrecy. This is understood by those who accept positions of responsibility. Whether this should extend into perpetuity is a judgement each makes for himself. And, unless he has forgotten, has to live with his decision. Most of these people handle many secrets. We have no way of knowing who forgot or remembered what.

The FBI, having made the same decision earlier, also implimented it and intimidated the Commission into following it.

Aside from believing that you alone showed the actual documents for the first time I believe you also are alone in using both of them together, which gives more meaning. If the official mythology were not set in such deep and hard concrete this should have had the effect of blowing the lid off if it had gotten the attention it deserved.

I would still appreciate the promised sub of the entire interview. Mike did, as he is quoted as saying, spent much time here, and not many do beginning at 3 a.m.! His questioning was good, very good. I do not remember going into some of those things with

any other reporter and I believe it was information important for the people to have.

Not knowing what you used and knowing there are always time limitations, if you aired that Katzenback took pen in hand and wrote his memo as soon as he knew Oswald had been killed and there would be no trial and that he had discussed it first with J. Edgar Hoover, I believe that had never been reported anywhere before.

I hope there was no unfairness in what you aired. There is so much for which so many can be properly criticized, on that memo, beginning with Katzenbach, including Hoover and all his top assistants, the Warren Commission for not learning about it and reporting it, Willens in particular of its staff because he had a copy of it and prates about covering nothing up, and in the White House up to and including LBJ.

As Mike and his also competent and pleasant cameraman/assistant may recall, all those cabinets and boxes of records they saw will be a permanent, public archive at local Hood College. If it is not asking too much I'd appreciate cassettes of your series and other information relating to it for archival deposit. I think it would be good for students to have access to it now. The college has a new, state-of-the-art library that is in use and will be opened or dedicated officially next term, with the major speaker the Librarian of Congress. There will be an informal affair for those of us known as "the friends of" the library, on April 25. If you do provide what I ask for I'd like to be able to present it then. The college teaches a course in the politicis of assassination, in history and political science. The students do prepare papers and theses and they are used by others. I am helping one of these young women now in her study of Oswald's writings and what relates to them. I am confident that she will evolve what is close to entirely new, if that could interest you. If it does I think it would be better for her not to know about it until she hands it in. However, if you are interested, you can write or speak to her professor, Dr. Gerald McKnight. He is one of the few authentic scholars with a good command of fact of the assassination rather than the usually untenable and never proven theories. The college's zip is 21702, its phone is 301/663-3131.

Thanks and best wishes,

Harold Weisberg

I've just noticed the headline on the Bark story jump. It is unfair because it is not true. It says, "Snyder relied on information from one source," apparently referring to me. In fact he relied on official documents that I gave him and would have given to any other reporter who was interested and have done with other records for decades. Among reporters and those with a reporting background, alleging a single-source story is to criticize if not to slur. Actually, Mike had the Acting Attorney General as one source and the members of the Warren Commission as another source.